

FEDERAL BUREAU OF INVESTIGATION

# ALPHONSE CAPONE

# **PART 8 OF 11**

**BUFILE: 69-180** 

SUBJECTO Capone Aphonse FILE NUMBER 69-180 section number 2 56RIALS 55- 71 606AL PAGES 241 Pages released 237 pages wightero 4 exemposion(s) useo b7c, b7D IL S. Department of Justice

### Bureau of Investigation

POST OFFICE SOX 1405

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February 27th, 1931

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Director,
Bur-eu of Investigation
Department of Justice,
Washington, D.C.

Dear Sir:

AIR MAIL

HE: ALPHONSE CAPORE KENCETH PHILLIPS, M.D., Contempt of Court, Perjury.

FEE . 3 .31

With reference to the above entitled case, which went to trial at 10 A.M. on February 25th, 1931, you are advised that on this date testimony was completed, and arguments closed by both the prosecution and defense, after which Federal Judge James H. Wilkerson sentenced subject Capone to serve a term of six months in the Cook County, Illinois jail, final order of sentence to be entered by the Court under date of March 2nd, 1931, at 10 A.M. Judge Wilkerson intimated that on March 2nd, 1931, he would allow subject Capone thirty days in which to file an appeal. Said subject was released under his present bond of \$5000.00.

For your additional information in connection with this matter I am transmitting herewith copies of the official transcript of Judge Wilkerson's announcement of finding in the Alphonse Capone case, dated February 27th, 1931, as made by the Court Reporter.

For your further information I desire to advise that subject Capone was arrested at the noon racess when he was leaving the Federal Court under date of February 25th, 1931, by City Detectives of the Chicago Police Department, in connection with the Vagrancy charge pending against him at Chicago. He was arraigned before Municipal Judge Thomas Green, who released subject Capone on a 310,003.00 bond.

Shortly after Federal Judge Wilkerson announced the verdict in the Capone case, Special Agent T. P. Mullen talked with United States Attorney George E. Q. Johnson, who stated that he

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### Page 2.

was very much elated with the outcome of this case, and desired to congratulate this Bureau in connection with the obtaining of evidence and the work performed during the trial of this case. United States Attorney Johnson also informed Special Agent Mullen that so far as his office is concerned with respect to subject Phillips, no prosecutive action is to be taken in this district regarding that subject.

Very truly yours,

R. G. HARVEY,

Acting Special Agent in Charge.

RCH: J.5

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POOT OFFICE BOX 1405

February 27th, 1931

Director,
Bureau of Investigation
Department of Justice,
Weshington, D.C.

Dear Sir:

AIR HAIL 19-310917

RE: ALPPONSE CAPORE ENWEST! PHILLIPS, M.D., Contempt of Court, Perjury.

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The U. S. attorners enthusiam mow Whather amusing it has taken no mearly two years to first to him this matter to he is sure.

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### Page 2.

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Very truly yours,

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R. C. HANEY, Acting Special Agent in Charge.

RCH:J D

69-19

VALUE OF AMS )

VS. Before Wilkerson, J.

CAPOKE )

Friday, February 27, 1931 10 o'clock A. II.

### OPINION.

THE COURT: This respondent was served on the 27th of February, 1929, with a subpoens from this Court requiring him to appear before the grand jury on the 12th day of March, 1929, at 10 o'clock A. M.

On the 11th of March he entered his expensance in this court, submitted himself to the jurisdiction of the court, and made an application to the court to postpone his appearance in response to the subpoema until the April Term of the court, or until such other time as his appearance might be directed by the order of the court.

In connection with the petition and made a part of the petition by express reference there was submitted to the court an affidavit executed in Florida and sent by the respondent to Chicago. The affidavit was that of a doctor named Phillips.

The affidavit stated that he was acquainted with the respondent, that he had been attending him ever since the 13th of Jamiary; that the respondent was then under his professional treatment. That since Jamiary 13, 1929, the respondent had been suffering from bronchopneumonia pleurisy with effusions of fluid into the chest cavity, and for six

weeks was confined to his bed at his home on said Palm Island, and had been out of his bed only for tor-days last past; that he had not fully recovered from the disease and that in the professional opinion of affirm his physical condition was such that it would be dangerous for him to leave the mild climate of Southern Florida and go to Chicago, and that to do so would imperil the safety of the respondent; that there would be a very grave risk of relapse which might result in his death from the recurrence of pneumonia; that the doctor advised against requiring the respondent to go from Florida to Chicago, and that it would be inconsistent with the personal safety of the respondent to go to Chicago; that the opinion empressed by him was concurred in by three professional consultants of the City of Miemi, Dr. Goudy, Dr. Faxwell, and Dr. Pierson, all of whom may be reached by addressing them at 120 Shoreland Arcade in the City of Miami.

Now as to this affidavit the fact is that it was executed in the office of a lawyer; that it was taken from the hayer's office and sworn to before the United States Commissioner and turned over to the respondent. It appeared first in court accompanied by a letter which concededly was written by the respondent and in which there was a reference to his desire to obtain a stay of time for his appearance before the Grand Jury. The doctor

when it was dictated by the lawyer. There is no contention, however, by the respondent here that he did not understand the allegations of the affidavit. He has not undertaken to assert any lack of familiarity with the statements in the affidavit. On the contrary, he adopted it and sent it to Chicago to the atterneys to be used for the purpose indicated.

Aside from the opinion of the doctor as to what was the matter with the respondent, there were certain averments of facts in the affidavit which could not have not escaped the attention of any one who had given even a slight consideration to the language of the affidavit.

mhere is the positive statement of fact that the respondent had been confined to his bed at his home for a period of six weeks after the 13th of January, and there is the positive and direct statement that he had been out of bed only for ten days last past.

Now the testimony offered by the respondent consisted of the evidence of Drs. Phillips and Onens and of the two nurses.

Dr. Phillips' testimony, of course, must be considered in the light of the telegram which he sent to Dr. Omens in which he characterized the sickness of the respondent as not serious in its character. He has given an explanation for that, but without saying anything further concerning the testimony of Dr. Phillips, I think clearly that we must decide

the question of fact as to the respondent's illness in January upon the testimony of Dr. Omens and the two nurses.

Dr. Omens reached Minni scretime between the 15th and the 20th of January and found him, he says, seriously ill from the disease mentioned. He remained there a few days, and when he left, shortly after the 20th of January, so far as temperature and pulse are concerned, the condition of the patient was about normal.

One of the nurses want to the home on the 6th of January and remained a little less than three weeks. The night nurse who was called in by Dr. Phillips went there on the 13th or about the 13th and remained seven or eight days - I think she said seven to ten days. At any rate, the nurses had gone by the last week in January. and the evidence establishes toyond all possibility of doubt in this case that during the month of February the respondent was not confined to his bed.

The evidence shows during that period frequent attendance at the race tracks; it shows a trip in an airplane; it shows a boat trip, and taking all of the evidence, it is perfectly clear that at least after the 2nd of February it could not be truthfully stated that the respondent was confined to his bed, and that the statement on the date when the affidavit was made, namely, the 5th of March, 1920, the respondent had been out of

bed for only ten days last past was glaringly false.

Now the result of the whole thing was that there was a short extension of time within which the respondent was to appear before the Grand Jury.

But I think we miss the point in this case when we lay stress upon what happened when counsel for the defendant and ir. Anderson appeared before this branch of the Court, or when we lay stress upon the inconvenience, if any, to which the United States was subjected by the failure of the respondent to come here on the 12th, or if we lay stress upon the statement of the respondent in his application for a continuance that he was willing to come here whenever the Court directed him to come, or the statement which it is said was in the letter that he did not wish to be in contempt of court, - I say we miss the point in this case when we lay stress upon that.

There has been a system established for the administration of justice. The Court is a part of that machinery which is erected for the administration of justice.

Now the Court deals with litigants, with witnesses, with jurors in only one way, and that is through the process of Court, and when the process of Court issues it is to be respected, it is to be obeyed, it is not to be trifled with, it is not to be fleunted; and with respect to the process of the Court the duty rests upon litigants and upon witnesses and upon jurors to deal honestly and fairly and frankly

with the Court; and when an attempt is made to interfere with the election of the process of the Court, when an appeal is made to the Court to relieve a party from obedience to the process of the Court, the Court is entitled to the fullest, fairest and most complete disclosure of all the facts. In no other way may the Courts operate.

Now here we have an application addressed to this Court with respect to the execution of the process of the Court in which it is represented to the Court that the respondent has just been out of bed for ten days, when it must have been a matter of general knowledge in the community in which he was then staying that he was not sick in hed at all.

Now the point in this case is the effect of conduct of that kind upon the administration of justice, and the situation is not changed by the action which the Court took with reference to this document. The situation would be the sale in the Court had acted in granting the continuance for some reason entirely different from the one stated in the affidavit.

The point to the case is that instead of obeying the process of the Court, the respondent, to be relieved from d edience to the process of the Court, sent this affigurit which contained these false statements.

Upon the record as it stands here there is nothing for the Court to do except to adjudge the respondent guilty

of contempt of Court as charged in the information, and as punishment for the contempt the respondent will be committed to the County Jail of Cook County for the period of six months. The United States Attorney may prepare the order.

LR. EPSTERN: If your Honor please, I wish to enter a motion in arrest of judgment.

THE COURT: Yes.

PR. EPSTERN: And in support of my motion for arrest of judgment I wish to assign the argument that there is no proof in this case that the defendant had any knowledge of the false representations that were made, as I made before in my argument, and I wish to urge in support of the motion in arrest of judgment that there has never been any service personally of the rule to show cause in this case; and I might say all the other points that were heretofore argued and presented and contained in the motions heretofore made.

THE COURT: The notion will be overruled.

IR. EPSTEEM: May I have an exception to the overruling of the motion in arrest?

THE COURT: Yes.

MR. EPSTEIN: Now if your Honor please, will your Honor make any findings of fact in connection with the --

THE COURT: Well'I have directed the United States Attorney to prepare an order.

THE COURT: He will put in this order the facts

found. I have found now that the charge of the information --

MR. EPSTEIN: That he was guilty of the charges contained in the information.

THE COURT: Oh, that may be embodied in the formal offer which the United States Attorney submits.

IR. EFUTEIN: Will your Honor -- until the presentation of that order I suppose there is no real final order in the case.

THE COUNT: What is the bond of the respondent?

MR. EPOTEIN: \$5,000, and he has voluntarily appeared, as your Honor knows.

THE COURT: I think that is a sufficient bond.

MR. EPOTEM: As the matter stands on the --

THE COURT: You may present the formal order for entry next Monday morning at 10.00 o'clock.

IR. EPSTEIN: At that time will your Honor allow us an order --

THE COURT: There will be no order this morning.

I have announced my decision in the case and formal
order will be presented here Monday morning at 10.00
o'clock by the United States Attorney for entry. In the
meantime the respondent may be at liberty on the bond
which he has already given in this case, if that is
satisfactory to the respondent.

IR. EFSTERN: And at that time, if your Honor please, or shall we make the motion now, praying an appeal? Will. your Honor allow an appeal?

THE COURT: I will allow an appeal. You can present your petition when you have it ready, petition and assignment

of errors and bond on the appeal will be the same as the bone here,  $\sqrt{5},000$ .

IR. EPSTEEN: And supersedeas?

THE COURT: I think that bond is sufficient on appeal.

MR. GROSSHAM: Yes.

THE COURT: Yes, supersedeas, bond \$5,000.

IR. EPSTEE: Will your Honor allow supersedeas?

THE COURT: On 55,000 bond.

MR. EFSTEIM: On \$5,000 bail.

THE COURT: I may, however, limit the operation of the supersedees. I think you should prepare on this hearing a bill of exceptions within twenty days. I think that would be ample time for you to do that, so that you can get the record up and get it docketed before the Court of Appeals. I should like to limit the time of operation of the supersedeas so that the case may be considered before the Court adjourns in July. I do not think that is any hardship upon counsel.

MR. EPSTEIM: Well, it will be a hardship -

THE CCURT: Sometimes in matters of this kind a great deal of the force of the Court's acts, if they are correct, is lost by delay, and I think it is important that the questions which are involved should be finally disposed of at as early a date as possible. I am disposed to do everything to facilitate your getting your appeal and your bill of exceptions.

IT. EPSTER: Well, as to that I don't know.

For twenty days right now to me happens to be —

T.I COURT: Thirty days.

LR. EPSTEIN: -- a time when I am going to be very busily engaged, but I have able assistants and counsel and colleagues and cogitators with me.

THE COURT: Did you both have reporters in this case?

IR. MAUGH: Yes, your Honor.

THE COURT: The record in this case is short and somebody can take it and abstract it and make a statement of the evidence in a day, I should think.

IR. 71WH: Of course it has to be written up first.
The have not had it written up yet.

We have not had it written up as we went along.

THE COURT: Those questions may be disposed of on Monfay.

IR. WAUGH: All right

(Thereupon an adjournment was taken to Monday, March 2, 1931, at 10.00 o'clock A. M.)

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ME ALTHOUS VAPORES DE DES EXHICLES PRILLIPS, S. Des Goglempi per Coppels Del Justy Dec Pilo Jobest

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In accordance with your sequent, Agent Descrip distributed all the witnesses except it. 6. Congar, distributed the service of a sequential that service the chirales approached and advanced funds for tradely to Chirales, Spraw Sequential Secretarial Congar is distributed.

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19-180-56 ENCLOSURE

CHICAGO TRIBUNE Monday, Mar. 2,1931.

### CAPONE TO JAIL.

At Camera, so the -1 to the months in in the Federal Judge Wilkerson for contempt of court, had taken a casual but characteristic attitude toward judicial process. 'He did not want to obey a summons, being in Florida. He was well advised legally that he could not ignore it and boils advised that it could be fixed by a false affidavit. Capone's experience and his ideas of government gave him justification for believing that it could be fixed, but he was dealing with the wrong court,

He had learned from his operations in Chicago: that he was a part of government under reciprocating arrangements in which for value received he conducted tentain enterprises requiring political protection and occasional murder. His experience In Philadelphia, where he went to joil for a year for carrying a gun, would not nestroy his confidence in the general dependability of the system. That was a jam in which he was earefers in unorganized territory. It was an exceptional

The gentionie which has been unposed in not | relevant to any of the minjor facts of his career. ; i but it is to the selectly him of government in I which he has every tell. The other noting of them las breier durch en en de de de Alma es in hau of late broken can be to their to rundis a margologic 1 se tima sego Tribbico o service in priver from a North to eighteen months, Druggan and  $L{\rm Me}$  are to to syntenced on pleas of guilty, and of the three Guziks, a protected family of panaster, and for thee min. is one har been a Southfriel to Line press, one is insected and one is to be included. Furthermore, under the direction of Secretary of Labor Dath, the imm.gration. officials are containing out the diportables. Mops! Volve of the Cupone gong wall thus leave the የር። ከጎተ. .

When he will be and, to the gangsters and polity our Associated with these starting developments of the last was minuted. If the land approach has not been a direct attick upon the gravest error of the outliers in an are still digiin their) it is nevertheless the first real history. which has been made in they presections,

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CARCINE FACETY VIIIALS ALGING

U. S. Plans Gang Chief's Income-Tax Prosecution; Speed Volpe Exile.

### WHITE TRIAL MONDAY

With "Scarface Al" capone, boss booke, vice and ganking racketeer, under semance of six months for contempt of court. Onleago's cleanup drive whiled along today with the authorities pressing the fight on several new fronts.

While Corone was at Locity today a notice of the large of from Federal during to the large theorem sometice. District Annually theorem sometic has also busied themselves completing evidence on which an indiction to the sought sealing the transfer of the front to those which have glready brought printing sentences to some of the printing of colors.

Immigration authorities in Chicage meanwhile were making preparations to the expectation of Tany ("Mepc"), solpe, long a reputed member—the so-called murder division of the Capone syndicate.

### 125 Other Allens Deported.

Six coaches, barred and carrying armed guardy will take 125 undesirable aliens out of Chicago tonight from the LoSalle street station. Although Volle will not be among the men being deported, the train will have on it three brothelked ers—Nick Bernarount and fanton. Marcial of Chicago and Angel Kirchos of Gary and three foots to cally released from John —Christis House, a burglar, Englishlyth, a burglar, and Frank Covolish, a men adjudged in the will also be token to New York for the volume as their holm countries.

A specific in, including cars for sixty rim a from the west court, will carry the undertrables east. White Plea Is Denied.

Judge Joseph Sepath in the Criminal of the own mainly the motion to quash the industment against William J. ("Three Fingered Jack") White, also listed is a public enemy ordered him to trial Monday morning for the killing of a policeman several years ago.

In refusing the plea of White's attorneys Judge Sabath also announced that the trial of Leo V. Brothers, St. Lôus hoodight indicted for the murder of Alfred tingle, which had been set for March 3, would follow immediately upon the conclusion of White's case.

### The Popes Are Questioned.

That the government officials were already pressing their efforts to land Capone in a prison cell for incometax law violations became known today through the reported appearance in the federal building of Willie and Bonnie Pope, who at various times are reputed to have been prominent in the operation of some of the Capone-controlled gambling joints.

They were reperted to have been questioned by Assistant District Attorney Dwigh. H. Green and from other sources it was learned that sub-promss are to be issued for others who, it is heped, may be compelled to give information before the federal result fury reparding the profits Cattor is suice to have taken from some of these enterprises.

Mr. Johnson's assistants, it was said, plan to follow the same procedure in their efforts to obtain an indictment against Capone as used in the prosecution of Foliph Capone, his brother; Jack Guzik and Frank ("The Enforcer") Nitti, who is already serving an eighteen-month sentence in Leavenmonth penitentiary for income-tax frauds.

### Vagrancy Trial Wednesday,

Cappine also faces trial next Wednesday before Judge Frank M. Padden in the Felony court on a charge of vagrancy as public enemy. No. 1. He is scheduled to appear before Judge Wilkerson Monday nacroung, when the formal order on the all months' sentence meted out to him yesterday is to be entered. At that time formalities connected with the filing of his appeal will be completed.

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# CEPARTMENT OF JUSTIC

### BUREAU OF PRISONS

### WASHINGTON

RECEIVED



February 28, 1951.

MEMORANDUM FOR MR. NATHAN:

HAR - 31931 PT

Referring to your previous memorandum

I thought you might like to see the attached
clipping with reference to the alleged activities
of Al Capone. I can't make out whether this is
intended as a joke or whether it is really being
taken seriously by this little local paper.

Please return it when you are through with it.

Director.

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Entered at the Post Office in Lewisburg, Pai, as Second Class.

Mail P. Te. 1

ALL SORTS OF All Capone's prossure in circulation in and around Lewisburg. It all had its places in reports contained in newspapers alleging the Great Lakes Construction Company to be owned in the majority by Capone and to be a part of some racket system. The obstruction company resented this imputation, and the United Press made an investigation with the report and reflection that the Great Lakes Company is in no way related to All Capone. While this ought to end further comment is seen to have accontinated the libel with more new stories any need each day than there are fleas on a dog's back.

THE SPIRIT OF enterprise is receiving high with our local merchants and business men who have put you for Priday and Saturday big holiday purchasing carnivals when great burgains may be had and mency saved

EDITORIAL CORRESPONDE



IAL ADVERTISING MEDIUM.

AY, FEBRUARY 28, 1931.

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82 # PER YEAR IN ADVANCE

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CHICAGO GANGDOM OPENS OPERATIONS IN LEWISBURG

MIFFLINBURG CIRL WINS CONTEST

> Hummel Again First

Private Investigator Discovers that Romanelli, "The Roman," and "Jo Jo" Jackson Have Been at Site of Penitentiary --- Both Representatives of Chicago Underworld

wisburg High Wins Northumberland

augmst Dan-

By Special Staff Writer, and Exclu-sively for THE SATURDAY NEWS:

That the uniferworld of Chicago has breached out from its operations along the shores of Lake Michigan, is attested by several startling developments in this section during the past two weeks. The first intimation of applied Dark two weeks. The first intimation of parighom's entrance into Union county came back came last week when Ben Comiskey, of lest Friday to Shamokin, was arrested at Sanbury for the passing on Reading Railroad properties. Suppose erry, Taken before Mayor Heckart of three fouls.

Substry, the Shamokinite stated that he had been sent to these parts by all "Scarface" Capone, supreme pentiff of the Chicago underworld, to stop work on the new penitentiary.

Although police officials discounted

Although police officials discounted his story, attributing his remarks to fabulous dreams caused by "canned heat", the future developments have cast a different aspect on the whole

Strange Tracks Near Penitentiary Early Monday morning a private investigator discovered near the site of new perstentiary strange tracks.

H:- -Louis further he are the reuremeters 031 ಟೀಟೆ ಇಟ್ಟು: atted out to e a Ge. via a latted out to ever fine first of a Ge at Dane. Chan a many of the measurement of the show marks with his retired it was die acted that they talled exactly with those of Ramon. The Roman Remarkelli a well known Colombia tangster It is stated the Roman-celli owns a Great Dane. 8 2 . 5-14 VanHörn: of quarters. Going over his records to as records to as records to a Bornanelli is a bornan gue Games for it. Intes Publicage Relly sto Valid Rangy Jears as "The Terror of Trainers" Kelly is known to have been closely associated with Coppies selected for the Underworld Kelly also was a close friend of James Bie Jim Colodino, whose bedy dard Capene was until Bir Jim" was assausanced on May 12, 1920. Of Peterns 17 25 Smalled on May 12 1920 The Chain Tightens

Por this was not enough to convince the intestigator that the feetbrints n at the site of the new peritentiary had anything to do with the d 14. tentiary had anything to do with the Chicago underworld. He again returned to the peritentiary site, where he casity traced the tracks across the fields to apoint near Taylorvile. They ended at the side of the road piece an automobile had been parked. From the condition of the ground where the car was pirked it appoined that there had been a flat tire. The tire marks leading up to the place of parking and lose Opponents 13 4 mes up to the place of parking and those leading away give no indication that a tire was flat Consequently, it was deducted that the tire went flat while the car was parked there. But the shoe tracks, said to be those to the Opponents : that had dies there was some one else in the out who fixed the tires.
The intestigator found a tire wherein almost covered with mud. It was un-Opponents almost covered with mind. It was un-like most tire wrenches in that it was made by a firm in Chicago who manu-factures such wrenches only on smalt scale. They are not supplied with any automobile equipment, and can be pur chased at only a few of the accessory Fl. G. Perm 9 12 13 8 Steen in Chicago.

Steen in Chicago.

This was inother clue Still stocher was the two initials. "J. J", which half been cut into the metal of the wishous. 88 12 10.5 Traces Wrench to Owner Fraces Wrench to Owner

Few cancellers are so prekless as a show their vanity by carving their intuits on property that might be lost, but the investigator remembered that a Chicago ganget? by the name at Jose Jo Jo" Jackson once before gut in a the hands of the law because at an one-provided pecker knife which he had not a distillery Jackson is known to be a trusted distillery Jackson is known to be a trusted distillery of Cabone. 38 Girk Fl. G. Points a trusted lieutemant of Capone There seems to be little door 34 There seems to be little distributed to the Chicago ganzdom has been at the area of the penticulary. Just why they should desire to hold up construction is not known unless the underworld feels that prosecutions will be more frequent when the government has more room to take care of federal lines. trakers As yet the representatives of the Chicago indirected have dine nothing the term of the three to without turning the case to the price. But the perat work.

80-56

Form No. 1 THIS CASE ORIGINATED AT JACKSONVILLE, PLA. 44 before federal Judge Jaky's Shicago on contempt charge. found guilty on 2/27/31 it ensei serve der menthe # 500 60 Ve S. Attorney, Chigago, alex be taken in this histrick again enneth Pallips. Subject Capene" decision of Judge Wilkers R. D. C. Report of Special Agent T. 1 1931 the trial of Subject Capone commenced before Federal Judge Jas. H. Wilkersen on a contempt of court char On February 27, 1951 Subject Capone was found guilty by Federal Judge Wilker wand he stated that an March &, 1931 he would formally eater a sentence of six souths which was an this date passed upon Subject Captus withis southers to a served in the Dook County 1911. We March W. I had Meacra, Wough and Epstein attenneys for Subject Captus more granted a motion be file a bill of exception served in the took County Jani.

atterneys for Subject Capens more granted a metion to file to the decision of legal Wilkerson. This bill to be you to the decision of legal will be proposed to the subject Capens then made 45,000 supersedent descriptions. disposed at by seas i, that, the date set by the futge for Subject Carene must then go to the Pa 100 3- Bu 3- Jacksonville 1- U. S. Atty. Chicago, Ill. 2- Chicago

pue stated that no second respect to the particular of the particu

Phile Police No. 90720 Chicago " CORICO

Criminal records 1985/85 Arrested as stanced to sale time by John Potrick Classification of the Communication of t

phetograph of Subject Capone have been forwarded to the Mational Division of Identification and Information at Washington, D. C.

REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN.

27

S. Pepartment of Instice

Bureau of Investigation P. O. Box No. 1405. CHICAGO. IL.

RECEIVED

March 5, 1931.

Director. Bureau of Investigation, Department of Justice, Washington, D. C.

RE: ALPHONSE CAPONE; KENNETH CHILLIPS, M.D., CONTEMPT OF COURT- PERJURY

Dear Sir: -

There are enclosed herewith for transmission to the National Division of Identification and Information, fingerprints, photograph, description and criminal record of Subject AIPHONSE CAPONE, one of the Subjects in the above entitled case.

TFM-mk

69-19

Special Agent in Charge.

RECORDED & INDEX

M. S. Department of Justice

## Bureau of Investigation

P.O.Box 1405, Chicago, Ill.

March 5, 1931.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

180

Dear Sir: .

RE: ALPHONSE CAPONE alias SCARFACE AL

I am transmitting herewith for your information and the Bureau file a series of articles appearing in the Chicago Daily Times during the period February 10 to March 2, 1951, inclusive, and having reference to the above entitled subject.

Very truly yours,

T. E. P. DUNN, Special Agent in Charge.

JEPD/EC

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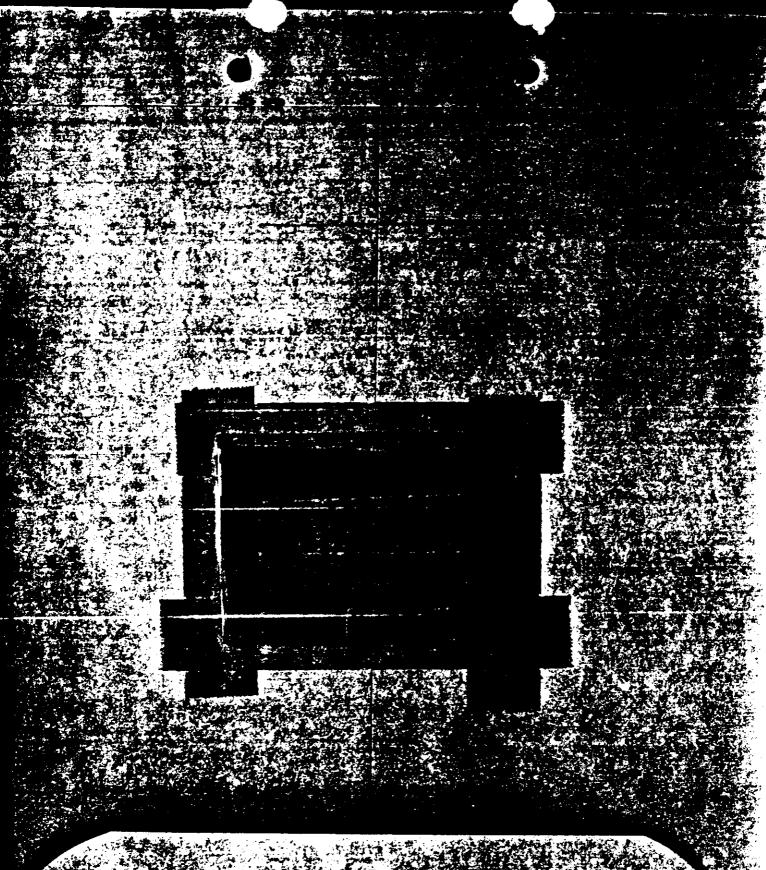
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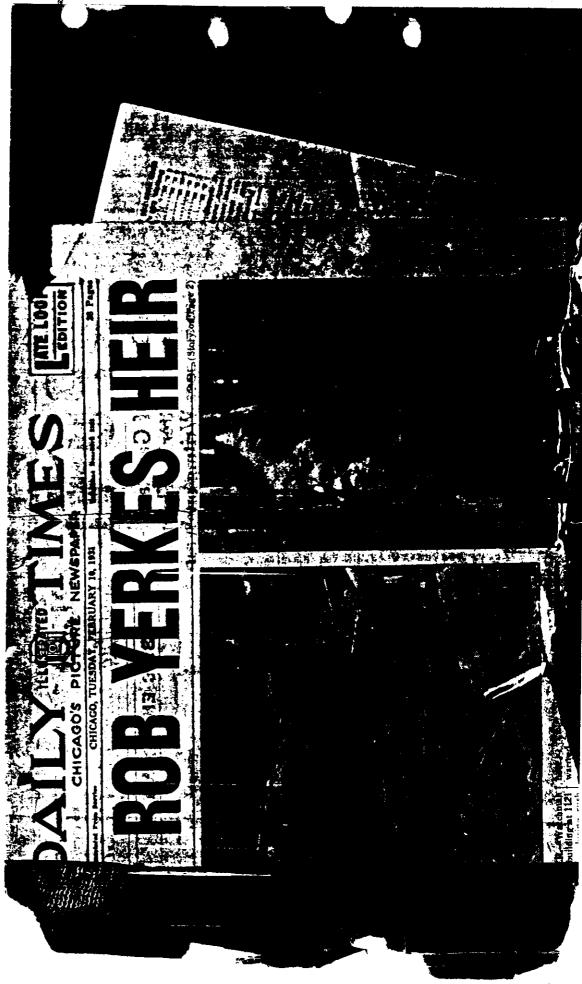
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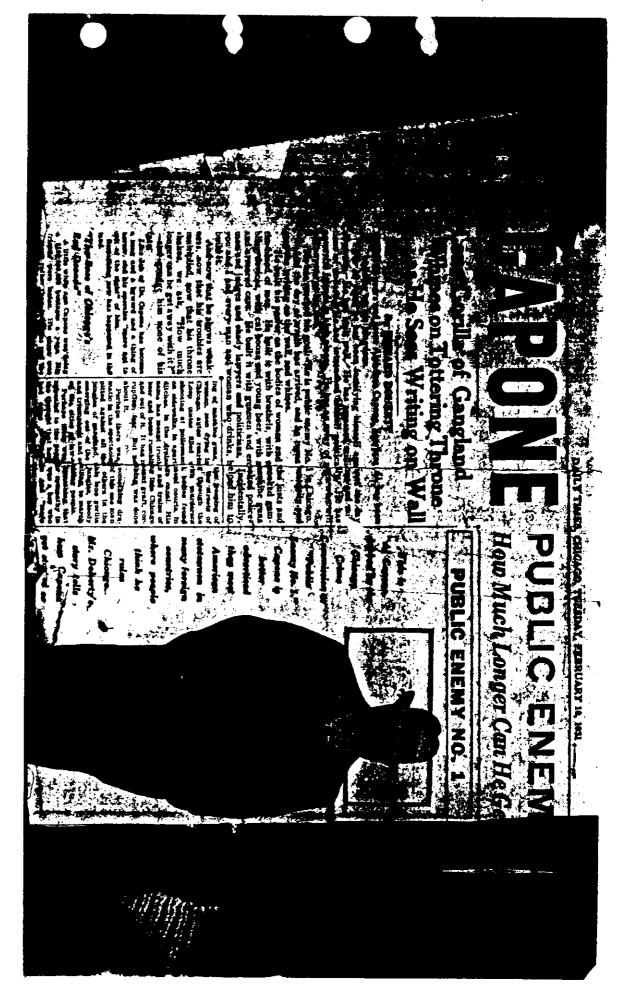
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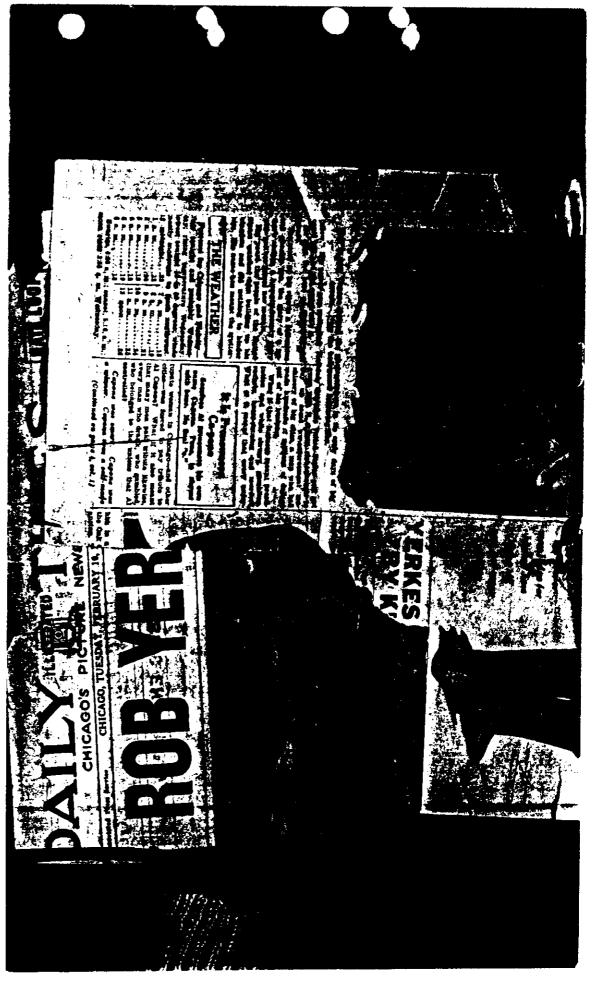


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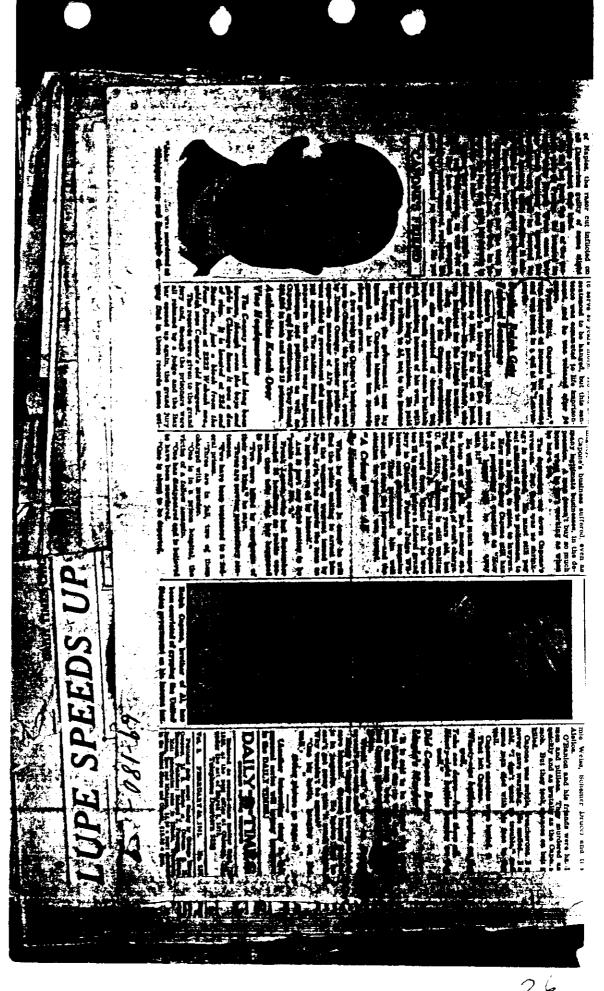






# ONE PUBLIC ENEMY NO. 2

them on the spot, took them for rides, found them when they were hatpless and put them quickly to death.



# o Breather-Girl in Fight for Life eam of Health Restores Hope

one, Broke, Girl, 20, Kills Self Vision Starts, Paralysis Victim

W GAS WHEN

YORA'TURNS "NOTHING TO IT"-- DEMPSEY

RANCES M'GAAN, the nurse who lived for found the Drinker respirator at St. Luke's hospital, and a

### Breathing Still Rapid

The added weight has greatly proved, Mins McClann's appears

Her breathing is still rapid



Widowed Twice

d the courtroom by striking his

#### NEWSIE, HEIRESS CONSIDER NAMING BABY "CARLOTTA"

panaport, Ind., Feb. 10 (#)...-Cur-ia being considered as the mame 1% pound baby girl born to Mr. Mrs. Akred Cacil Durbin, the



#### Parent at 12, Tells of Being (Special to the DAILY TIMES) Los Angeles, Feb. 18.—Daisy Dévos Jail for Daisy or Freedom? She's to Hear

or Married when 11. A mother at 12.

7. Twice widowed before she was 20.

by A tractio tale was told today at the
lid detective bureau by Mrs. Emma Chris.

is tine, 21, when mother love directed har

steps to the police in an effort to ob-

Rhima is a little redheaded girl from the mountains of Georgia, trankle to read or write. Her experiences in life have best many—and traffo.

Lared to Oky by "Friend"

"Up to a few months ago I'd never heard of Chicago," she said, "Then whiled chiefs as she pleaded for ner fidren, taken to the Juvenile bone for they had wandered alone into a selvom at 0 M. lith st. Then she

HEAR IS TOTAL BARRIES

HONEYMOONERS



Mr. and Mrl. Beyond of Ja-

wine about her condition, pressing the opinion she in criticals for life. While a stade at it, Leho's had September stricken with infantile paral OF PAY TO RED CROSS ON 33D ANNIVERSARY HOOVER GIVES TENTH

Comferting, She Says

fully on the grim-looking "It's comforting to have it right by ne," she said, her eyes resting grate-

GIRL UNCONSCIOUS 6 MONTHS, RECOVERS

Bt. Louis, Feb. 18 (P).—Miss Depot thy Survey, 14, today apparently was recovering from an illumer which had ball her in a come, unable to appear

that served as her lungs for so long. "Or course, I don't expect ever to mad it sgrath, but just the same I'm glad it's here. It seems like an old triend, A carely box valentine broughs ; nails to Frances McGaasi's fass.

Marriage

Measure







# Vo Sox Darner, Says Ina Claire anionate Wife to Gilber

CHASTELL

arrested after Miss Ange

An examination at Hogurs Park hospital allowed she had been attacked.
When her complaint was made the when her complaint was made the youngton police were already investiading the charges of Minn Ruth tants, 17, 1340 Chicago ave. Miss

JUST PASSING THROUGH



RLS' STORY JAILS 2 YOUTHS Scorns Idea of Living in Home

Between mouthfula of breakfast at the La Salla at stations where she arrived today from New York on the Century, she gave her version of how two movie stars can be happy, despite mar-lage.

"Two nervous, temperamental poof WAKES FROM COMA

ple like John and I simply ean't live she, biting into a doughnut. "That's together in the mame house. and work don't get in the why we have separate longs and see d I have my makeup in

Criticizes Her Work

"Of course, we love each other, but I'd rather be his companionale wife. or numerica, if you prefer, than his

confided, we had a lot on our A wife has to watch har ale goodness knows I'm not the In fact. I'm the most imperfect wife I When we were first married, she

woman needs privacy nearly as usuch us she needs love." "John and I both believe that in-dividuality should be respected, and a

"Of Course, We're in Love"

The blonde star even criticized her-

INA CLAIRE, who has forsaken the stage fog the across, at going to live with John Gilbert or mend his sore even than he is her husband.



In a conta since August, Dorothy bawyer, I-typar-old St. Louis school teacher, has returned to especious ness and in recovering. She was fed

LOCK GIRLS IN CAGE TO PROTECT VIRTUE

BY RALPH CAPONE

given seven days to answer the govefor income tax frauds, is opposed in a brief flied by government in the Cir-cult Court of Appeais, "Capone was Rabh Capone's appeal from a file

Bioter Hollegen 81, of 136 N. ernment's brief, which was prepared by Special Aurt, U. S. Atty. Gen. Ab-fred Page. a brief expert.

Hermitage ave, wealthy real action of dealer, died of injuries suffered on Jan.

y. 21 when he fell from a stephendar, and what he fell from a stephendar of W. Clark at and Davon ave.

THE OPERATION DESIGN TWO AND THE PROPERTY OF T Belvidere Midae Belvidere, III., Poh. II.—Was the Faces Angry Mob as Pouzi Butte Bursts for the remarkable and dogs offered of the DAILY TIMES merchant, in this input the advertising of other Contains 1 dial. In official in which the 12-page action, Real - Tra Man State State F. Tr. 7 In today's DAILY Ad-

#### Regratone ave., Doctor's Love Operations Mrs. Nellie Amberson, 28, 4183 N. Win Separation for Wife battling wife of Dr.

machines in his ornes

crowded courtrooms during a five-day Day, moving the appendix of a pretty Just, a five-day Barberger, and a five-day beauting the appendix of a pretty Just, washed beauting for chumny with the prevence, user taking her to a foot of a pall palme at Urbana and remaining postif Armay until a grand and the second that the se

The Angli

Y, PEBRUAKI 14, 1301

NON

## PUBLIC ENEMY NO How Much Longer Can He Get Away With It?

2

### ALERHOO GEVANGE

I would not be surprised to learn that he did. ent and henefactor, Big Jim Colosimoeyed than Johnny Torrio was the man Jim out of his golden seat losimo trijabed seho killed him. And Colosimo by that Alphonse Capone mur-

Dale Winter in April, and they went honeyreferred & few days after he returned. the time he could spare from his

seat is Mying with her husband in a libracito coast city, admired and relibración coast city, admired and relibración control de la constance.

They gave Colombro a crand funeral relations, though he had in his day been my connected with a dosen murders and though he had been known as the yyorsen of ophum joints, smalling dens delations and the connected with a possession of the connected with a connected with a connected with a connected with a dosen murders and grand the connected with a conn

#### Profited by Douth errie and Capene

ohuny Torrio and Al Capone took or Colemino's interests and his po-ical friendships. They perhaps are

by this time had become known uni-versally as Tab.

Halph the son of a New York ga-rage owner, was caught historing and When the police arrived they fusted Needless Ferry lying dead in the gutter outside the count. He had been our

Yale Wouldn't Help,



for man 5 %

and Diamonds. Jowelry - Watc Gold Teeth Broke Crowns - Bridges -We Buy Old

**20LOT JEWELLRY CO.** 



DAILY TIMES, CHICAGO, SATURDAY, FEBRUARY 14, 1881

# BUDDY SPEEDS AHEAD AGAIN

BACK AFTER SPURT FUNNY PICTURE GAME Docked by His Boss

MOVIE CONTEST Make a Comic Face and Win a Cash Prize Mode day the DAXLY TERMS publishes a descring in the PIDEST PIC. The passe, Readons who play the press, are fewhere to family the press, are fewhere to have the case who can be been pressed in the case who can



drawing. Prise winners on telesy's drawing will be an-

REUNION NEXT FRIDAY BURR SCHOOL HOLDS

All alumni of the Burr school at 1841 Wabansis are have been invited to attend a reunion and a dance to

Wins \$93 Wage Said While Sitting on Jury,

YANK Is Cheege

"YARK" TAYLOR; the law who keeps the DAILY TIME; reader bloc of 200,000 informe

1 STALL PYTO rey ware

The raided frakerfitties are the Phi pro-ta Theta, Belts Kappa, Epsilon, B ppa Sigma, Theta Delta Chi and poo

### PLAN ALTAR JAUNT



Lead to Divol

When he equipped a cosy little bed prome just built for two, in his solver, ported a little of offices, Are. Harrier (Clemon, absolute attractive brunets wife of a wealthy acc, m'd of love and went prancing off to court ing. "We have been in the solution of the court ing."

poohed the suggestion that the bed-room indicated anything other than his innate kindness toward his em-

hy shoulds july 16 cents for a yound load.

At a roam mostled had at the Laurt ing, "w her Lyceum, 3722 Hiresh bird, this
they can afternoon by the indignant housewires
of rest," har. Excuratory displayed her charmthe strengt her example subject demand for a
try the strengt her example subject demand for a
try the strengt her example subject demand for a

hy bedra 6-cent loaf is met.

norce it "It cost me just 36 cents to bake
'The fulthis loaf," Mrs. Ehrenberg declared.

But Horner, as the called him pooh envert a That the little that the proof of ma for the poohed the suggestion that the held so nes and tree. At the hadre true, it would room indicated carything other than and therein and the entire that the shade the backet dock. It had to much ployer.

Doctor's Love Op we all have our campaign succeeding it is made our campaign succeeding. It had not compaign succeeding the first that the first describe we had the hadren of the backet our campaign succeeding. It had not controlled the backet our campaign succeeding the first had not campaign succeeding the first had not controlled the backet our campaign succeeding the first had not controlled the backet our campaign succeeding the first had not campaign succeeding the first had not controlled the backet our campaign succeeding the first had not campaign succeeding the f GIRL, 10, KIDNAPED

Win Separation



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Pespest Isamppontation A THE STATE OF THE PARTY OF THE

been charged by the doctor with having treated him orugily.

> ban Diego, Cal., Fub. 14 (#).—Pedice and students Johned to the search for Virginia Brooks, 10 believed hidzaged PARKLAND ON WAY TO SCHOOL



a cost of 20 centry the manks a lifecost bakery back. They also per cost in weight

for 97 a week

HOTEL





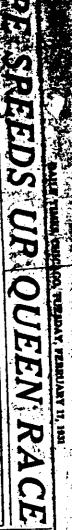
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GIRL, 18, ASKS \$100,000 opp of the DALLY TO THE FOR WHITENED HAIR the same of the DALLY TO THE THE THE OWNER OF THE OWNER OWNER OF THE OWNER OWNER

a. Prime will be awarded to persons adding in the most attractively on-

Exclusive Art Design
Warber by Machine or Who Hand
Youn Partners on who LCAN
FIRST WE CLEAN
FIRST WARTERS EUROPEAN EXPERT EUROPEAN QUILTS

May WITTON NHOL segment of the pres -Par fast dern dag.

they would be with dollar bill "PAILY TIMES cust





## T-PUBLIC ENEMY NO How Much Longer Can, He Get Away With It he

is he collapsed.

In pealse arrested Frank McErians. tough he was. He seams, where the Millers.

In Then they let him so. The "Come on Duffy," O'Bankos said to With All Evil Trissurge and yary indicted loss Batta, Johanay him next morning (this was in Fublish Radion, Willie Namenth The next morning (this was in Fublish Radion, Willie Namenth True, 1924) the pelice found the body the and normality. Once he owned Willie Channel, beadde McErians.

Willie Channel, beadde McErians.

of Duffy the Goal on a soot which the term officials, and had the arrest cause of the indict.

of Duffy the Goal on a soot which the term officials, and had the arrest cause of the indict.



The 'Spike' O'Donnell made caused the Torrio-Capene crewd much ass Lawrence (Dagel Mangane (arrow) being arraigned as public essential. J

The same night O'Banion found Duft items than an hour. You can take a Mill. Oh, yet fy in the Four Deuces joint, Dufty invikined of boose out of Chorne to Deserty to Deserty that done nothing but yet page and now any part of Chicago is an hour or more, they tough he was. He hadn't goes man.

Then Arose Caponerville, of the law.

vent his leaving her she threatened to? You can go by bus, street our or it ever. I be used to Cleare in in the he

was in Feb.

In Closeq Torrio saw peace, protec prosecutor who had saged five seeming that the body two sand accessibility. Once he even of tried Deberty and O'Deberty and Charlest, and the symmetric pairs of the Inhabitant, he had it quite debert that when Deberty was peak quite done.





is to do it bignesif or have nome igning Chicago pai do it for him. mées la wann't so easy to trace a

because she thought her career importhe user. The girl was breke, and Duffy
th had a little messay, and he atked kir,
at and perhaps she was impressed. They
to seem to live in a north side fat-end
to Thay forget murder for leve. He she
as forget caution. He talked. proved to be left handed on both a nad a talker besides. He ploked that the thanding girl who didn't

A STATE OF

Role & Cierre's Se

who while, and Torris came home to due for Ambitisess All anche is the stray bord annoth in Knordite disposed of five of his mob life. That belonged now to Copona.

Mill. Before he had gene abroad Torris in Installo shallon, and he threatened will be the stray had taken possession of Closer, in inless he budging of Closer, in inless he budging for a long while. They had taken possession of Closer, in inless he budging for a long while in and they were selected. He did not the first had to be well to have sent of the companies of the shallon of supplies. He moved his bootimes that other the first had provided to pay off that other them had chased them that poor boot's contented the poor had chased them that the poor boot's contented the poor shall be had chased them that the fool's mortgage. The species of Closers in the Kloselite's brother.

The cold's mortgage. The species of Closers in the Kloselite's brother.

The cold is noticitated. The species of Closers in the Kloselite's brother.

The cold is noticitated. The species of Closers in the Kloselite's brother.

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The cold is noticitated that the cold is not kloselite is brother.

The cold is noticitated that the cold is not the cold is not the cold in the cold is not the cold in t But everybody recovere Dever three a socre into the hoodfume, and gave the

Foud Great Break

Ē

William was a harder guy to work for then Capone.

teh ware bet

AND DESCRIPTION OF

Has Had No Asthma We got three shikers on the job."-For Two Years Ro APPRILIBATION

Put Like New Mass In 1 Wester, and Arthur Bern Disspected.

Relieved al authora and from from it over three, is the experience of Frank Caleman, 30 Clayron Ave., N.P., Rossoite, Ve. Ho warn "I wish every assisse seffering sould know

all this, there were over 160 had no key to the front door

6

eat out of the meh. Tuning-goet Machin Bo in walks a Tun

HALF-WORLD JARGON

emergence of Al Capone of king.

DAILY TIMEA CHICAGO YRDHELDAY, FRBEUARY 14, 1811

# TARAJBUDD YYN LEAD

HEIDETRICH Posthumous Murder Trial



Vote on Movie King and Queen-Who Are Chicago's Favorites?

> finished in white celluloids worthy according values.

Moria Popularity Ballot Not 20

gree and Greta Garbs are

Ade Biche Opers In Instruments at Lyon & Healy's Loop Stol Big Values of Gold or Silver. Case and extra reeds in phones at reductions as great as one-half We are closing out a group of new Bb So Only a few left at this price, so come east PIANO ACCORDION SAXOPHONES Reduced \$1 from 80 to



price reduced to A genuine Helmer Pi

According with 48 bass and

CORNET or TRUMPET

In this contest indi-

the state of the s

to leth place. New let's take a rest on the gre-p and fasten our syes on the "what's

**ENESTIC** 

PHILCO TARC

PARTON

COLDS HEA

Penamin

Starck Piams Co

After withing, sign your same and address and such to MOVIE POPULARITI CONTEST, the DAILY TIMES, IS B. Market St. Chicago.

Starrck No Money Down

ily silver plated, with gold bell. Valves work essily; quick change from Bb to A. Perfect intonation. Serong case and instruction book are included at this great price reduction.

Bach of these in-

This beautiful koswood concert - size Washburn Hawaiian Guitar regularly sells for \$90. Included in this peratel guitar case and an instruction book. Other unctive \$37.50 remarkable offer is a strong

beginners and advanced clarinetists. Strutt case, A fine shoules instrument with 17 keys and 6 rings. Beautiful tone. Popular with Hawaiian Guitar | Clarinet Outfit

#4 \$37.50 treads and instruction

Drum Outfit \$37.56

Included at this price, me Bess Drum, Metal Stand Du. Pedal; Drum Stand; twe-tone Seck; Cymbils and Mich Sticks. Other noteworthy Drim Outfil Values, pages 1.

T TATE T A COLUMN

THREE, PRIVATE, LESONG, WILL BE, CIVEN, TO EACH, PURCE, ME Low Book Payment Language

Lyon & Heal

OR CONSTINUTION

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# H-PUBLIC ENEMY NO How Much Longer Can He Get Away With It?

### TOWARD DOMESTIC

the agentia who were actually

lk. That was all
But the Mode didn't really own Chi.
En. There were some coppers—old
mens montly—who wouldn't take or

Indeed there were public officials in The gunman is usually a sentimental, chicago who were openly opposed to stupid, yellow-backed boy. Sometimes the gangelens, who sidn't care wheth, he's a victim of heredity. I know we cr Chicago had its three quenched who are sons of splightic. Sometimes daily or at all, who threatened to he's a victim of his savironment. He

He Gets In-

He Can't Get Out





S.





Detectives in Dies O'Banken's flower shop the day he was murdered. with here he element Remains he seld to Diesake of state gangetons.

is made and

ready to eat

/ per package

DESSERT

five minutes



5 THE FUNNY PICTURE CAME!

Comic Pace and Win & Cash Prize

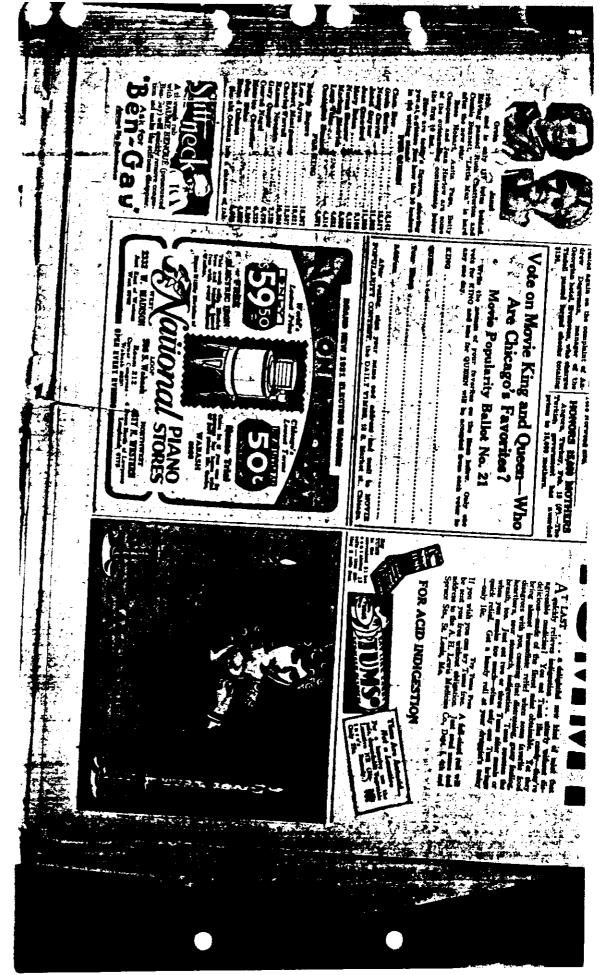


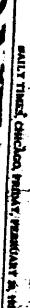
TWO MORE VICTIMS OF POISON RUM

Chicago



MARINE CORPS FOR





## ? PUBLIC ENEMY NO How Much Longer Can He Get Away With By

O'Banion was typical only of the Irish





# JANET AGAIN IN LEAD

#### TRUMPH IN RACE LASTS ONLY A DAY NANCY CARROLL'S





Vote on Movie King and Queen-Who Are Chicago's Favorites?

### Gang Seizes \$10,000 in Loop Handbook Raid

This Beauti Reduced Nearl Story& Clark atLYON& HEAD



FUR TRIMMED



Originally Sold for \$226

and Lyon & Healy. Don't overlook this a first. Doubly guaranteed by the manufactures, distinguished Story & Clark rading fri tunity to own this sutstanding radio to a beautifully carved Walnut cabin grade radio. Tone Control, Dynam imited number. THIS handsome Story & Clark set has ever thing that is needed to make up ti

YON & HEA The Balance in Small Menthly & Your Old Radio in Trade.

Evantion: 618 Baris 31. | Dat Parts 138 K. Haffing.

2410 Doves ATL 4444 Sharidge Rd. Watest to decker

47H Lingle Av.

ALL STORES OPEN EVENINGS

## TIPUBLIC ENEMY NO How Much Longer Can He Get Away With It? 7

are from the

d all the other funereal

private consecuty, conversation about his crazy out his safe-cracking and drunk-

the church or to place him in consecuted ground.

The body was taken from Sharbaro's

Them bici-

the big shots might be seen

the earth fall on the coffin before e boys had to expend their griet beero was a truce, for a few days.

als thing was to give Dion the

There were more than 100 funeral arm in the proression. There were

Louis Atteris, above in the inset, challenged the world, or at least that part of it that was unfriendly to Dien. O'Esnica, to about it out with bian at "the businet corner in the world," State and Madison of,, shown above,

ards who had killed 'poor Dion. called O'Banion his beet pal, wished to meet at State and Madison sta, the

to wanted to mand them at that

stabled to bis father are not going to be visited Recently Cathedo dignituries in Cape stable digniture are not going to be visited Recently Cathedo dignitures as the court is compared to compared the court is compared by Rev. Father Capes for the charge contact Capes from the charge the court is compared to compare the court in the court is considered by Rev. Father capenies.



### ロスド PUBLIC ENEMY NO. How Much Longer Can He Get Away With It?

gerity since the grave-patting party at which riversal section was depoted to the OBanism, the greatest gung display of some

### By EDWARD DOHERTY

state of Nails Morton's death dader about horse killing is occasioned by the remem-

islia was the neasest approach to a gentleman in the mobing the highest approach to a gentleman in the mobine the highest of the hight of the It was he who taught O'Banion to sip

ce or twice a week, in the manner of the gentle-Rows: Mails was alone when he was killed. His got the gang to go horseback riding in aged him a little way, and then

#### Pal on Haspital Bed O'Barrion Slays Dying

Our, and the grangeters followed him learn of death in his object. Outside the piace they again opened that his flowers he night with their gats, stabbing the black alley and they can be night with nearest the black alley and they can as on our night with nearest the control of the black alley and they can be nearest to the control of the control of

Nu. And to boast that the acquittal cost such of them exactly \$7,000. for somebody's sale, cure and use them. He see some CHURCH CONFIRMS of Taylor of Paler basis, i.d.; Out the boys quit shoot sale. He had everything but made SON DESPITE BAN. In Own draws have the sale of the boys of the "bad hade" locally the Capone UPON AL CAPONE becomes the trade of the capone.

boot favor.

Every so often he made a lear into the "had kinds" looking the Capone of and Torrib and trothe and the Capone and Torrib and trothe he could find no Bellians. He had seen note since the night of the wate, when Torrib had wated in and the church is compared to be visited as the church is compared to be vis

way granding day, one of the places which spring up over

THE R. CHAPTER PR. WHEN SER MAN



# LEADS MARLENE IN RACE

INS VILEZ EIGHTH | FUNNY PICTURE GAME | Part of Great Plan,

ARA STILL FIRST Make a Comic Face and Win a Cash Prize Back day the DAILY TRIMS publishes g drawing in the FURITY PSC. FURIS game. Banders who play the game are bright to mark the drawing with dipole yould, staying or last, the colored. The skiest is to see who say



Here is a famous princinghter. Make this drawing as fumny as you can with peach, crayes or ink the colors) and then said it as directed in the rules.



#### Park Bond Issues Says Board Urging

south park bond tesues. The Bouth Central agen, also in

#### Deadline for Indian Game Thursday

with the picture published in Bat-urday's paper, are requested to re-manner the deadline time set for Players in the DAILY TIME Color-the-Indian game, which and

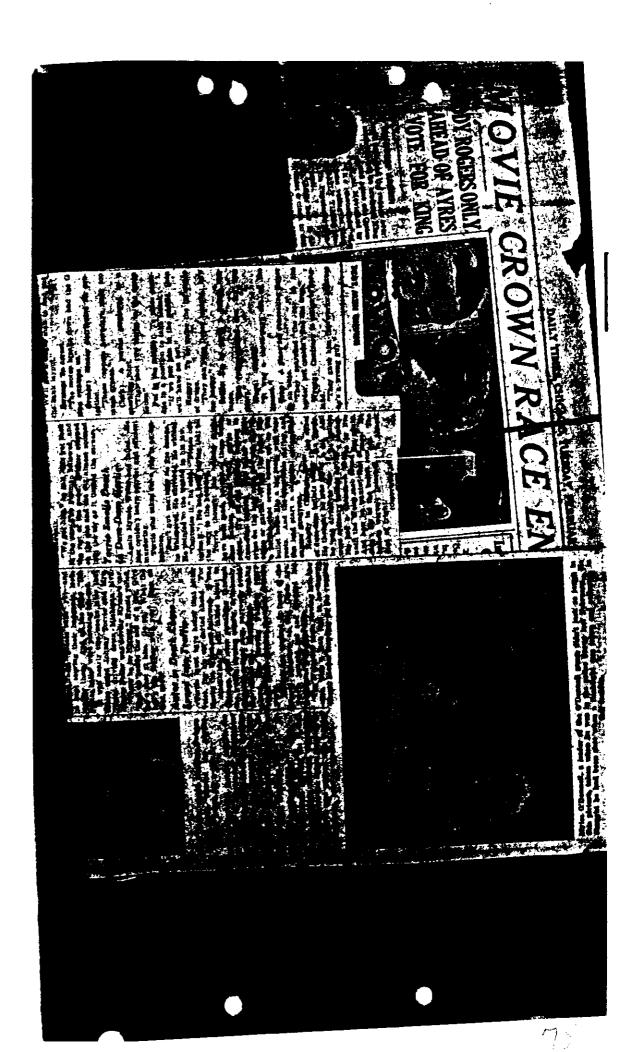


"Gee, that's swell

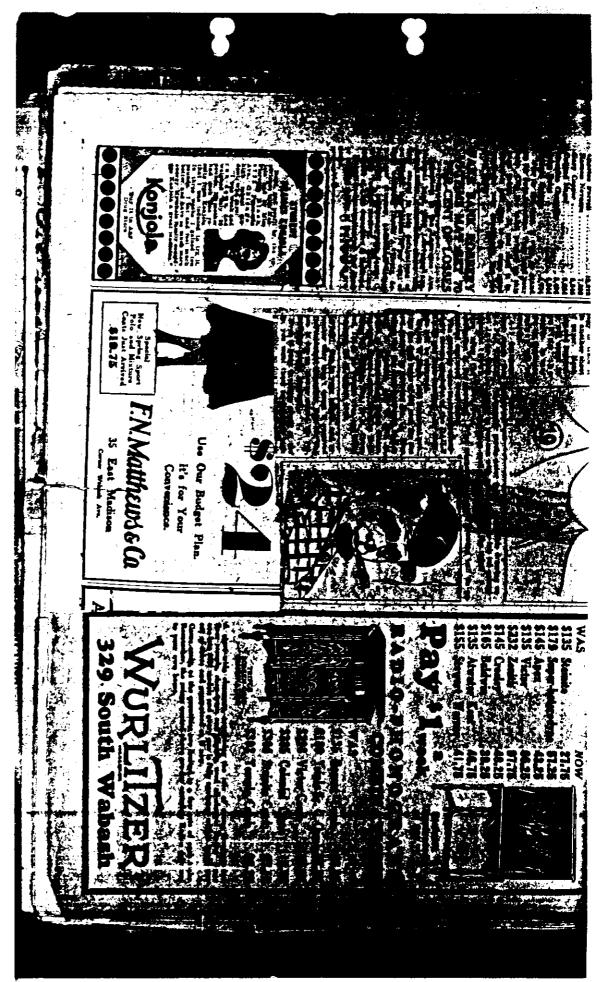












PUBLIC ENEMY How Much Longer Can He Get Away With

### By EDWARD DOHERTY

tell you that Torrio, though his eyes were bloodshot gangsters' code of silence. from trying to look on all sides of him at him, but he wouldn't tell.

### Nothing Like Jail Term

Riondika O'Dennell and his mob of set side histors got into a just with

Some old ladder have been given life semences in various punitentiaries for making and ediling a few plate of liquor. Men have been shot and killed



for variety in Chings when to kee golded the

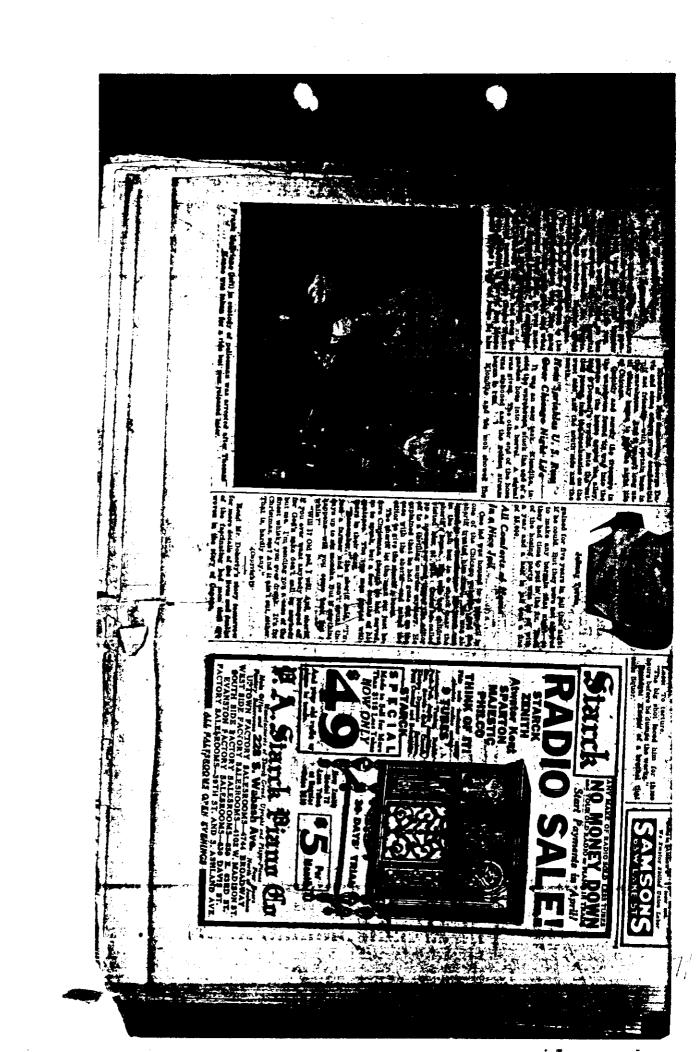
### HALF-WORLD JARGON

CIRL BUNGLAR









# CAPONE GIVES SELF UP IN U. S. COUR

#### NOT GUILTY' OF VICE LORD PLEADS CONTEMPT CHARGE

(Condinand from page 8)

gh teak the around by surprise, both were builds the building

The certain rings down today!

The ballot you'll fiss! on this page, No. 26, is the final one is the DAILY TIMES Movie. Popularity emissis. And after Thursday night at midnight, the deadline side.

# Last Chance to Vote FUNNY PICTURE GAME

for Film King, Queen! Make a Comic Face and Win a Cash Prize

rang and queen or